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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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BALJINDER KAUR, ATUL KAMATH, AVTAR  
KAUR, BALJEET KAUR, VIMLA PATEL, VINITA  
ARORA, MANJIT SINGH, and KAMEENA  
BAMBAM,

Plaintiffs,

ORDER

05 CV 4725 (NGG) (JO)

-against-

ROYAL ARCADIA PALACE, INC., and GEORGE  
RAJU VARGHESE, GEORGE VARGHESE, ROY  
MATHEWS, THOMAS MATHEWS CARMO  
LOBO, and TARIQ LONGI, d/b/a MALABAR  
PALACE,

Defendants.

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GARAUFIS, District Judge.

On April 27, 2007, the parties agreed to submit a motion to dismiss the claims of Plaintiffs Vimla Patel ("Patel") and Vinita Arora ("Arora") for failure to prosecute to Magistrate Judge James Orenstein for a Report and Recommendation ("R&R"). On June 8, 2007, Magistrate Judge Orenstein filed an R&R recommending dismissal of Arora's claims for failure to prosecute. No party has filed objections to that R&R.


In reviewing an R&R, this court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). In order to accept a Magistrate Judge's R&R where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F. Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189

(S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991) (court may accept report if it is "not facially erroneous").

The R&R is comprehensive and well-reasoned. The court finds no clear error in the R&R and therefore adopts the R&R for the reasons stated therein. Additionally, the court notes that the deposition of Patel was taken on July 2, 2007, and to the court's knowledge, no deposition of Arora has yet been taken. Therefore, Defendants' motion to dismiss Arora's claims is hereby GRANTED with prejudice, pursuant to Fed. R. Civ. P. 41(b). Defendants' motion to dismiss Patel's claims is hereby DENIED.

SO ORDERED.

Dated: November 30, 2007  
Brooklyn, N.Y.

/signed/  
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Nicholas G. Garaufis   
United States District Judge